

UNITED STATES DISTRICT COURT  
DISTRICT OF RHODE ISLAND

INDIAN HARBOR INSURANCE COMPANY  
as Subrogee of Mile Square Lofts,  
Curanderismo, Inc. as Trustee

v.

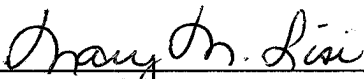
CA 08-146 ML

ASSURANCE COMPANY OF AMERICA

ORDER

This matter is before the Court on the Report and Recommendation issued by Magistrate Judge Martin on May 21, 2010. Neither party has filed an objection and the time for doing so has passed. Accordingly, the Court adopts the Report and Recommendation. Plaintiff's motion for summary judgment is DENIED, and Defendant's motion for summary judgment is GRANTED. The Clerk is directed to enter judgment in favor of Defendant.

SO ORDERED:

  
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Mary M. Lisi  
Chief United States District Judge  
June 9, 2010